

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RICHARD RESTIFO : CIVIL ACTION  
:   
vs. :   
: NO. 02-CV-2673  
BARBARA BRITTINGHAM :   
:

ORDER

AND NOW, this day of June, 2003, following non-jury trial of the above matter before the undersigned, it is hereby ORDERED that Judgment is entered in favor of the Defendant and against Plaintiff on all counts of Plaintiff's Complaint.<sup>1</sup>

BY THE COURT:

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J. CURTIS JOYNER, J.

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<sup>1</sup> Plaintiff instituted this action on May 3, 2002 pursuant to 42 U.S.C. §1983 for the Defendant's alleged violation of his civil rights under the First, Fifth and Fourteenth Amendments to the U.S. Constitution in evicting him from his apartment in retaliation for his having complained to New Hope Borough authorities about Defendant's zoning code violations. According to the evidence of record, Defendant Brittingham instituted eviction proceedings against Mr. Restifo in December, 1995. Given that the applicable statute of limitations for Section 1983 actions is two years, we find that Plaintiff's cause of action is time-barred. See Generally: Albright v. Oliver, 510 U.S. 266, 280, 114 S.Ct. 807, 127 L.Ed.2d 114 (1994); Wilson v. Garcia, 471 U.S. 261, 276-280, 105 S.Ct. 1938, 85 L.Ed.2d 254 (1985).